



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
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March 3, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF ORDINANCE AMENDING TITLE 1 – GENERAL PROVISIONS AND
TITLE 13 PUBLIC PEACE, MORALS AND WELFARE OF THE LOS ANGELES
COUNTY CODE
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

The Chief Executive Office (CEO), County Counsel, Sheriff and the Public Works departments are requesting approval of ordinance amendments to the Los Angeles County Code, Title 1 and Title 13, which makes minor changes involving the time period in which a request to perform community service must be made and the identity of the County department that should receive notification of the recordation of a graffiti abatement special assessment.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Introduce, waive reading, and place an ordinance on the subsequent agenda for adoption, amending Chapter 1.25 of Title 1 – General Provisions of the Los Angeles County Code (LACC) relating to administrative fines and noncompliance fees for code violations, and Chapter 13.12 of Title 13 – Public Peace, Morals and Welfare of the LACC relating to graffiti prevention, prohibition, and removal (Attachment I). One amendment revises the time period in which a request to perform community service may be made in connection with a graffiti offense, and the other revises the identity of the County department which is to receive notice of the recordation of a graffiti abatement special assessment.

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

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2. Cause a certified copy of the ordinance to be forwarded to the Clerk of the Juvenile Court and to the Los Angeles County Probation Officer following adoption of said ordinance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On August 12, 2008, the Board approved ordinance amendments to County Code Title 1 and Title 13 establishing administrative fines and non-compliance fees for graffiti offenses, namely the Civil Graffiti Citation Program. Workgroups formed to facilitate the implementation of the newly adopted graffiti ordinance reviewed further the LACC provisions concerning administrative fines and noncompliance fees for code violations, and provisions concerning graffiti prevention, prohibition, and removal. Based upon this review, it is recommended that your Board adopt the enclosed ordinance which makes the following two (2) minor changes:

- *Provides that the time period in which a request to perform community service for violations relating to graffiti may be made in writing and filed with the issuing department within ten (10) calendar days following service of the notice of the administrative fine and/or notice of noncompliance fee. The time period initially provided was five (5) calendar days.*
- *Provides after confirmation and recordation of graffiti abatement special assessment that a copy shall be filed with the Auditor-Controller of Los Angeles County in order that said officials may add the amounts of the respective assessments to the next regular tax bills levied against the respective lots and parcels of land. The Assessor and Tax Collector were the County Departments initially identified in the ordinance.*

These two (2) changes provide clarification and adequate time to carry out the process as defined.

Implementation of Strategic Plan Goals

The recommended Board action is consistent with the Countywide Strategic Plan Goals 1 and 2 Service Excellence and Workforce Excellence, respectively. Implementation of this recommendation will ensure the public has sufficient time to submit a request to perform community service and the appropriate County department is notified of a graffiti abatement special assessment to ensure the collection of that assessment.

FISCAL IMPACT/FINANCING

There is no impact to net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The accompanying ordinance has been reviewed and approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', written over a horizontal line.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SRH:RDC
JW:SW:PV:cc

c: District Attorney
Sheriff Department
Auditor-Controller
County Counsel
Department of Ombudsman
Department of Public Works

Attachment



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

November 25, 2008

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Los Angeles, California 90012

**Re: Ordinance Amending Title 1 - General Provisions and
Title 13 - Public Peace, Morals and Welfare of the
Los Angeles County Code**


Dear Mr. Fujioka:

As a result of a series of meetings with the work groups created to review the Los Angeles County Code provisions concerning administrative fines and noncompliance fees for code violations, and provisions concerning graffiti prevention, prohibition, and removal, we have prepared the enclosed ordinance which makes two minor changes involving the time period in which a request to perform community service must be made and the identity of the County department that should receive notice of the recordation of a graffiti abatement special assessment.

The enclosed ordinance and its analysis may be presented to the Board of Supervisors for its consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
(For) SARI J. STEEL
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:


LELA A. KAPUR
Chief Deputy

SJS:sh


Enclosure

HOA.566859.1

ANALYSIS

This ordinance amends Title 1 - General Provisions of the Los Angeles County Code relating to administrative fines and noncompliance fees for code violations and Title 13 - Public Peace, Morals and Welfare of the Los Angeles County Code relating to graffiti prevention, prohibition, and removal. The ordinance revises the time period in which a request to perform community service may be made in connection with a graffiti offense, and revises the identity of the County department which is to receive notice of the recordation of a graffiti abatement special assessment.

RAYMOND G. FORTNER, JR.
County Counsel

(for) By 
SARI J. STEEL
Principal Deputy County Counsel
Property Division

SJS:sh

10/22/08, (requested)

11/25/08 (revised)

ORDINANCE NO. _____

An ordinance amending Title 1 - General Provisions of the Los Angeles County Code relating to administrative fines and noncompliance fees for code violations and Title 13 - Public Peace, Morals and Welfare of the Los Angeles County Code relating to graffiti prevention, prohibition, and removal.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 1.25.075 is hereby amended to read as follows:

1.25.075 Request to perform community service for violations relating to graffiti.

...

B. Written request. Any eligible responsible person(s) served with a notice of administrative fine and/or a notice of noncompliance fee who requests permission to perform community service in lieu of payment of an administrative fine or noncompliance fee, as provided in subsection A, must make the request in writing and file it with the issuing department within ~~five (5)~~ten (10) calendar days following service of the notice of administrative fine and/or the notice of noncompliance fee. The request shall also include the address of the responsible person(s) for the purpose of correspondence by the issuing department.

...

SECTION 2. Section 13.12.115 is hereby amended to read as follows:

13.12.115 Summary abatement and responsibility for expense of abatement.

...

E. Collection of expenses of abatement.

...

4. Assessment of Costs Against Property For Unpaid

Expenses. The unpaid expenses for abating a graffiti nuisance, as confirmed by the board of supervisors, shall constitute a special assessment against the lot or parcel of property owned by the person committing a nuisance described in subsection A, above, and, where such person is a minor, against the lot or parcel of property owned by the parent or guardian having custody and control of such minor, and upon recordation in the Office of the Los Angeles County Recorder of a notice of lien, as so made and confirmed, shall constitute a lien on the property for the amount of such assessment.

a. After such confirmation and recordation, a copy shall be filed with the ~~Assessor and Tax Collector~~Auditor-Controller of Los Angeles County in order that said officials may add the amounts of the respective assessments to the next regular tax bills levied against the respective lots and parcels of land, and thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes; or

...

[125075SSCC]